

REMARKS

In the Office Action, the Examiner rejected claims 1-19 under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,006,987 to Harless ("Harless"), in view of U.S. Patent No. 6,157,913 to Bernstein ("Bernstein"). Applicant respectfully disagrees.

The rejections of claims 1-19 as unpatentable under 35 U.S.C. § 103 are respectfully traversed, since the Examiner has not made a *prima facie* case of obviousness. To establish a *prima facie* case of obviousness under 35 U.S.C. § 103, each of three requirements must be met. First, the reference or references, taken alone or in combination, must teach or suggest each and every element recited in the claims. Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. Third, a reasonable expectation of success must exist. Finally, each of these requirements must "be found in the prior art, and not be based on applicant's disclosure." (See M.P.E.P. § 2143 (8th Ed. 2001)). Applicants submit that these requirements have not been met for at least the following reasons.

As per independent claims 1, 3, 4, 7, 8, 10-13, 15, and 18, the Examiner alleged that Harless discloses:

method and system for providing an interactive simulated dialogue with feature limitations substantially similar to the claimed invention. According to Harless, the interactive simulated dialogue system includes a simulated dialogue program, a vocabulary set for selected simulation program, user voice input means, means for generating response to user input voice, output means for outputting an audiovisual representation of a human being speaking the response, and means for processing simulated dialogue program as claimed. See O.A. at p. 2.

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Furthermore, while the Examiner admits that “Harless does not expressly disclose a network and network connection for interactive system as claimed,” (*Id.*) the Examiner alleges that such “feature limitation is however known in the art,” (*Id.*) and that Bernstein, in fact teaches an “interactive video response to the user command in a computer network.” *See* O.A. at pp.2-3. While Applicant agrees that Harless fails to disclose a computer network, Applicant respectfully disagrees with the remainder of the Examiner’s assertions and submits that even if Harless and Bernstein disclose everything alleged by the Examiner the combination of references still falls far short of rendering the claims obvious.

Applicant submits that the Examiner has failed to show that each and every element of the claims is either disclosed or suggested by the combination of references cited. First and foremost, as admitted by the Examiner, Harless fails to disclose even a “computer network” (as recited, for example, in claims 1, 3, 4, 7, 8, and 10). Accordingly, it falls far short of even suggesting a “client node” (as recited, for example, in claims 1, 3, 4, 7, 12, 13, 15, and 18), or a “server” (as recited, for example, in claims 1, 3, 4, 10, 11, 13, and 15), let alone any of the claimed features related to the client node or the server, as recited by claims 1, 3, 4, 7, 8, 10-13, 15, and 18.

Furthermore, Bernstein fails to cure these admitted deficiencies of Harless. Applicant admits that Bernstein discloses that its invention “can be used with any number of integrated or stand-alone systems” (*See* Col. 6, lines 41-42), and that it may be accessed “via a gateway to the network of computer systems commonly referred to as the Internet” (*See* Col. 9, lines 63-65).

Applicant respectfully submits, however, that this is the extent of Bernstein’s disclosure of “a network connection for interactive system[s] as claimed,” (*See* O.A. p. 2) as the Examiner has alleged. This disclosure falls far short of disclosing, or even suggesting, the structure recited, for

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example, in claims 1, 3, 4, 7, 8, 10-13, 15, and 18. For example, it fails to disclose or suggest at least: a "client agent" (as recited in claim 1); a "client node" comprising a "means for receiving over the network signals representative of a meaningful response" (as recited in claims 3 and 7); a "client launch agent" (as recited in claim 4); a "buffer agent" (as recited in claim 8); a server comprising "means for selecting," (as recited in claim 10); "receiving a simulated dialogue program from a server" (as recited in claim 11); "receiving from a client node signals representative of a user voice input," (as recited in claim 12); "transmitting, by the server to the client node, a vocabulary set corresponding to the selected simulated dialogue program," (as recited in claim 13); "receiving a simulated dialogue program from a server" (as recited in claim 15); and "transmitting to the client node signals representative of the meaningful response," (as recited in claim 18). Accordingly, the Examiner has failed to set forth a *prima facie* case of obviousness for independent claims 1, 3, 4, 7, 8, 10-13, 15, and 18.

Applicant further submits that dependent claims 2, 5, 6, 9, 14, 16, 17, and 19 are dependent at least by virtue of their dependence from allowable independent claims.

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

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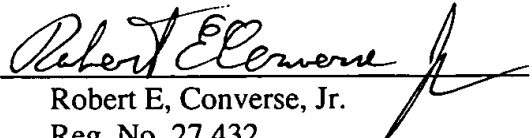
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Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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